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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

Savoy

Civil Action No. 08-0232

versus

Judge Tucker L. Melançon

St. Landry Parish Council, et al

Magistrate Judge Methvin

MEMORANDUM RULING

Before the Court is a Motion To Strike Penalty, Punitive or Exemplary Damages filed by the City of Eunice and Chief James Gary Fontenot ("Chief Fontenot"), individually and in his official capacity as Chief of Police of the City of Eunice [Rec. Doc. 44] and plaintiffs' opposition thereto [Rec. Doc. 49].

Defendants previously filed a motion which was identical to the motion at bar on April 8, 2008. *R.* 8. On July 18, 2008, the Court issued a memorandum ruling and judgment as to the April 8th motion, striking plaintiffs' § 1983 punitive damages claims against the City of Eunice and Police Chief Fontenot in his official capacity, as well as plaintiffs' state law claims for punitive damages. *R.* 52;53. The Court denied defendants' motion as to plaintiffs' claims against Chief Fontenot in his personal capacity. *Id.*

On June 23, 2008, plaintiffs filed a Second Amended and Supplemental Complaint primarily to correct certain defendants' names. *R.* 39. Thereafter, on July 3, 2008, defendants filed this motion relating to plaintiffs' Second Amended and Supplemental Complaint. *R.* 44. As defendants' motion *sub judice* is identical to the April 8, 2008 motion,

the Court adopts the conclusions set forth in its memorandum ruling and judgment previously issued as to that motion. *R. 52;53.*

A handwritten signature, possibly reading "JW", is written in black ink below the text.